



Business Advisory Council (BAC)
Summary Meeting Notes for December 8, 2016

Summary Notes

770 3rd Street, West Sacramento, CA

Members Present:

Association	Primary	Alternate
ACEC	Arvin Chaudhary	
AICC	Adam Holt	
AAAE	Eddy Lau	
AAa/e	Linden Nishinaga	
AGC		
CBCC		
CMAA		
COMTO	Dev Krishnan	
DVBA	Laura Uden	
GFACC		
KMCA		
LBA		
LRRT	Paul Guerrero	
NAACP	Betty Williams	
NAMC	Pete Varma	
NCA		
SFAACC	Fred Jordan	
SAME	Nathan Rockwood	
USPAACC		
WCOE		
WTS	Charissa Frank	

Council Chair: Lisa Marie Alley

Absent Seat(s): Sam Hassoun (AGC), Aubry Stone (CBCC), Esther Shaw (CMAA), Debbie Hunsaker (GFACC), Marvin Dean (KMCA), Leonard Ortiz (LBA), Diana LaCome (NCA), Clyde Wong (USPACC), Lee Cunningham (WCOE)

California High-Speed Rail Authority (Authority) Team Present: Bill Grimsley – Director of Contract Administration, Alice Rodriguez –Small Business Advocate, Jose Camarena – Contract Compliance Administrator, Darin Kishiyama –Supervising Transportation Engineer, Karen Massie – Information Officer, Terry Marcellus – Procurement/Civil Projects, Alex McCracken – Small Business and Title VI Programs Manager, Meilani Sabadlab – Small Business Technical Associate

Guests: Maurice Young (TPZP), John James (DFJV), Amanda Craft (CRB), Tanya Little (DGS)

1. Welcome and Introductions (Council Chair)

- Council Chair called the meeting to order at 1:35 PM and welcomed everyone for attending.
- The Council was informed that Bill Grimsley, Director of Contract Administration, would provide a presentation concerning the Contract Management Support Unit and touch base on his unit's policies and procedures, and management processes.

2. Approval of September 21, 2016 and October 20, 2016 Business Advisory Council Meeting Minutes (Alice Rodriguez)

- Ms. Rodriguez asked if there were any questions or concerns regarding the revised September 21, 2016 meeting minutes, or the October 20, 2016 minutes. There were no concerns.
- Member Guerrero motioned that the minutes from the September 21, 2016 Council Meeting be adopted and Member Varma seconded the motion.
- Concerning the minutes from October 20, Member Guerrero requested to accommodate the handicap during all phases of future BAC Construction Tours.
 - It was noted that a notice for accommodations were distributed to all BAC members (10 days prior of the event) along with the Tour Agenda.
- Member Frank motioned that the minutes from the October 20, 2016 Council Meeting be approved and Member Varma seconded the motion.
- The minutes were approved by majority vote.

3. Prior Meeting Requests (Council Chair and Alice Rodriguez)

- Ms. Rodriguez summarized the success of the last BAC Meeting and Construction Tour in October.

4. 2016 BAC Summary Report (Council Chair)

- Council Chair provided a 2016 BAC year-end report in the member packets. The report captured all open, pending and closed requests made for the calendar year 2016.
- In 2016 the Authority received 36 requests from the Full Council, the Professional Services Committee, the Construction Committee and/or its Council Members.
- Of the 36 submitted requests, the Authority has completed 27 requests (75 percent).
- Some requests included delivering presentations from our executive leadership such as: Russel Fong (Chief Financial Officer), Debbie Harper (Chief Administrative Officer), and Diana Gomez (Central Valley Regional Director).
- All pending and open requests from 2016 will be carried over into the 2017 BAC calendar year.

BAC Member Questions and Concerns:

- Member Chaudhary requested to change the status of request #3 (provide payment notifications) to pending, until the actual notification system is launched. Council Chair agreed with his request.
- Member Chaudhary commented that request #10 (implement debriefing process) was specifically in reference to sub-contractors and not bidding firms; requested change be made.

- Member Nishinaga emphasized the importance of having an Authority representative in the PSC meetings, opposed to a consultant. Mr. Nishinaga suggested Ofelia Alcantara, Principal Transportation Engineer, as a possible sit in candidate for the PSC.
- Member Guerrero commented that the status details of request #9 (dispute resolution and appeal process) lists several codes, but does not outline the actual process to resolve disputes. Member Guerrero requests a white paper explaining the actual dispute process.
- Member Jordan requested to have a presentation by Gary Griggs, Rail Delivery Partner Program Director, to provide an overall program review to the Full Council.
- Member Uden and Member Jordan mentioned the benefits of having the BAC member packets during their Committee Meeting. Moving forward, they requested to have the packets available during committee meetings. Council Chair suggested distributing the tracker in advance to BAC members, to capture member commentary and ensure requests were properly translated.
- Member Guerrero commented that funding for duplicative environmental studies were eliminating funding for a BAC Travel Reimbursement Policy (request B). Council Chair noted that moving forward, the Authority is looking to invest in tele-conference technology with the hope to use the technology to benefit travelling BAC members to help alleviate travelling costs.
- Member Nishinaga agreed that the option of tele-conference would relieve the burden of travelling. Mr. Nishinaga stated that not offering a BAC Travel Reimbursement Policy discourages member participation. He referenced a printed copy of the Caltrans business advisory guidelines and strongly encouraged the Authority to reconsider implementing a Reimbursement Policy.
- Member Uden noted that the BAC Bylaws would need to be changed if teleconference was made an option.
- Member Nishinaga questioned if it was possible for the BAC Members to be reimbursed with general funding. Council Chair explained that the Authority does not have reserved general funding.

5. 2016 Small Business Summary Report (Alice Rodriguez)

- Ms. Rodriguez provided a year-end Small Business/Outreach report in the BAC Member Packets.
- The report noted that the Small Business Team re-designed their Small Business Workshops, participated in over 80 Small Business outreach events and developed the Authority's Vendor Registry System, ConnectHSR – expected to launch early 2017.
- As of September 2016, the report called attention to 327 small, disadvantaged, and disabled veteran businesses which have been committed to, actively working, or have already been utilized on the program.

BAC Member Questions and Concerns:

- Member Chaudhary requested an updated Small Business Master list.
- Concerning the Small Business Utilization Data Reports, issued by the Compliance Team, Member Frank asked to identify which firms are construction and professional services. Jose Camarena, Contract Compliance Administrator, responded that the team will try to incorporate this request for future reporting.

6. Contract Management Presentation (Bill Grimsley)

- Bill Grimsley introduced himself as the Director of Contract Administration and expressed his support for small businesses, as he is a veteran owned small business owner himself.

- Mr. Grimsley touched on a few of his main responsibilities as the Director of Contract Administration. Some of her duties include, but are not limited to the following:
 - 1) Director of the Contract Management Support Unit and ensures proper training for Contract Managers (CM) of contract requirements.
 - 2) Direct and develop policies and procedures to ensure consistent contract management processes.
 - 3) Educate CMs concerning the Small Business Program Goals and Prompt Payment policies and procedures.
- He emphasized how the CA High-Speed Rail Project will invest billions of dollars in the small business community and that the Small Business Program goal is unprecedented in the industry.
- Mr. Grimsley also mentioned that his team is developing a reporting mechanism to provide notifications of when Primes are paid. He noted that the Finance and Audit Committee as inquiring similar concerns to members of the BAC and assures they are working diligently to develop and launch this reporting mechanism.

BAC Member Questions and Concerns:

- Member Guerrero Questioned how quick primes contractors were paid. Mr. Grimsley responded that the Authority adheres to the requirements of the Prompt Payment Policy. Mr. Grimsley stressed that his team has not had a late payment in the last 6 months.
- Member Guerrero asked what happens in the event an invoice is disputed. Mr. Grimsley answered by saying that the Authority will pay the portion of an invoice that is not disputed.
- Member Nishinaga suggested including a copy of the Prime's invoice along with the payment notifications. Council Chair mentioned future enhancements could be considered.
- Member Holt questioned if Mr. Grimsley's unit monitored time lines associated with change orders. Mr. Grimsley responded that the Authority has a Change Committee, and that any change over 5 million dollars must be logged. Change orders are typically minimal. However, the Change Committee does track and monitor the time line of when the change was submitted and the status of that change order.
- Member Uden asked how soon the reporting mechanism will be implemented. Mr. Grimsley stated the team is hoping to finalize the system by the end of 2016. Continuous internal training will commence in January 2017 and he hopes to launch the system by the end of the first quarter of 2017.
- Member Frank suggested that the PSC consider having a representative of the Contract Management Support Unit participate in the committee meetings. Having a Contract Manager Representative opposed to an Engineer would be more beneficial to the PSC and their specific concerns.

7. Project Updates

Construction Package 1 (Maurice Young)

- There have not been any major additions to Construction Package 1.
- TPZP currently has 77 small businesses currently working, already utilized or committed to their project section, including 23 DBEs and 14 DVBES.
- TPZP continues to work on property acquisition, abatement, utility relocations, as well as clearing and grubbing.
- Construction Summary –
 - Multiple crews are performing utility line relocations in Fresno and Madera including PGE, AT&T, COF and FID.

- Fresno River Viaduct (Madera) – This infrastructure now connects over SR-145, bringing the 1,600-foot long structure closer to completion. Construction Crews are installing reinforcing steel in preparation for the next concrete pour of the deck over SR-145.
- Tuolumne Bridge (Downtown Fresno) – Concrete forms have been set around reinforcing steel to create a barrier wall along the north side of the street bridge. Construction crews continue utility relocation on the east side of the structure in preparation for work on the approach bridge, which includes placement of retaining walls; fill dirt and repaving for future traffic.
- San Joaquin Viaduct (North Fresno) – A construction platform has been built over the river allowing a drill rig to bore into the north bank to create the foundation for a support pier. At 4,700 feet in length, the River Viaduct will be the longest structure built in the first phase of High-Speed Rail construction.
- Fresno Trench/SR-180 Passageway – Crews continue drilling and installing rebar for protective barrier walls between the high-speed rail and Union Pacific lines in what will become the Fresno Trench. One lane of westbound SR-180 traffic was recently shifted across the median onto the eastbound side of the highway for the first stage of construction of the passageway. This stage will be in place for about five months.
- Cotton Creek (Madera) – Crews tie reinforcing steel for a barrier wall along the sides of the Bridge over Cottonwood Creek, which is located a little northeast of the intersection of Avenue 13 and Road 30 ½. The bridge deck concrete was recently placed and once cured sufficiently; the barrier walls will then be completed.
- 99 Realignment (Central Fresno) – New asphalt pavement is in place along what will be the new alignment of SR 99 between Dakota and Shields Avenues. Drainage and sewer line installation continue at McKinley and Shields Avenues. SR 99 is being moved about 100 feet to the west to make room for high-speed rail line construction.
- Cedar Viaduct (South Fresno) – Steel support falsework for the viaduct on the Southside of Fresno is being assembled near the intersection of north and Cedar Avenues. Crews have completed forming the flared pier caps for the viaduct's columns along SR 99. Once complete, the viaduct will carry high-speed rail trains over SR 99.
- Avenue 8 (Madera) – Thousands of cubic yards of fill dirt is being trucked to the east side of SR 99 for the construction of an overcrossing. While dozens of dump trucks bring in the fill material, graders and bulldozers move and compact it.
- TPZP currently faces the following challenges –
 - Accuracy and timeliness of the subcontractor's certified payroll.

Construction Package 2-3 (John James)

- DFJV currently has 14 small businesses currently working, already utilized or committed their project section, including 8 DBEs and 3 DVBES.
- Upcoming Procurements include the following:
 - First six miles of the CP 2-3 alignment
 - Demolition of Structures for segment 2 and 3
 - Commence BNSF and HSR embankment construction
 - Redesign of overpasses to Caltrans-style bridge with sloped/angled abutments
 - Tulare County road construction
- The current schedule of trade and/or skill specific procurements through proposals and/or bids include the following:

- Adams Avenue overcrossing in Fresno County
 - Trucks for hauling water, lumber and infrastructure material
 - Local streets and roads restoration
 - Underground utility relocation
 - Irrigation District facilities relocation
 - Earth Moving
 - Fuel and Petroleum suppliers
 - Fencing contractors
 - Well abandonment and cap contractors
 - Electrical contractors
- CP 2-3 is preparing to launch their Subcontracting Opportunity Program. DFJV will be presenting an overview of their small business contracting opportunities in addition to providing an opportunity for SBEs to communicate with DFJV's project staff and identify potential upcoming work opportunities for small business participation on the project. DFJV will be meeting directly with SBEs within the next few weeks.
 - DFJV anticipates small business utilization to increase within the next ninety (90) days as a result of the outreach, pre-bid and bidding work currently underway.
 - DFJV has split their clear and grub segment 2 and 3 into 2 categories: demolition of structures and clear and grub. Demolition of structures is being prepared for rebid and the rebid for clear and grub will follow shortly after.
 - Work currently underway with the CP 2-3 project includes:
 - Environmental re-exam work
 - Demolition of a variety of 17 planned parcels
 - Clearing and grubbing
 - Embankment Testing
 - Challenges DFJV are facing include:
 - Small businesses are having issues getting pre-qualified for PG&E's pre-qualified list
 - Small businesses are facing difficulty with bonding insurance

Construction Package 4 (Amanda Craft)

- California Rail Builders (CRB) currently has 13 small businesses currently working, already utilized or committed to their project section, including 2 DBEs and 2 DVBES.
- Of the 13 SBEs on board with CRB project, 12 firms are considered professional services and 1 is construction-focused.
- California Rail Builders recently opened their new office in Wasco and are transitioning from their office in Bakersfield.
- Design work has commenced for CP 4, as well as some potholing and abatement.
- Upcoming procurements include the following:
 - Hazardous Materials Surveys
 - Clearing and Grubbing
 - Earthworks and Trucking
- Challenges CRB are facing include:
 - Identifying a clearing and grubbing contractor able to perform full scope of work required.

8. Committee Updates

Professional Services Committee (Fred Jordan)

- The following bullets are requests submitted by the Professional Services Committee:
 - Requests additional information about the Supportive Services Contract.
 - Requests an Authority staff member with engineering or contracting expertise to attend the Professional Services Committee meetings.
 - Requests Chief Auditor, Paula Rivera, to provide a presentation regarding Safe Harbor and overhead rates at a future BAC meeting.
 - Requests the Authority stop researching the PSC's original request of separating the participation requirements (30/10/3) for Professional Services within the Design-Build Contract, and simply implement the request.
 - Council Chair mentioned we are consulting with Tom Fellenz to bring the concern to the Board; ultimately it will be the Board's decision to implement the change.
 - Requests that Council Chair Alley and Alice Rodriguez attend the Committee Meetings to keep updated with rising concerns.
 - Requests that CEO, Jeff Morales, participate in the Business Advisory Council.
 - Requests to have the BAC Request Tracker 1 week in advance (electronically) for review and commentary. Additionally, they request printed copies of the member packets during the Committee Meetings.

Construction Committee (Paul Guerrero)

- The Construction Committee discussed and submitted the following requests:
 - Requests to initiate the Supportive Services Contract.
 - Requests additional information concerning form 700.

9. Upcoming Meeting Dates

- The next meeting is tentatively scheduled for Wednesday, February 15, 2016 from 1:00 – 3:30 PM in West Sacramento.
- The official Business Advisory Meeting Schedule will be distributed to all BAC members and posted to the Authority's public website, once the dates have been cross-reference with the Board of Director 2017 meeting dates.

10. Member and Public Comment and Adjournment

- There were no public comments.
- Member Guerrero motioned to adjourn the meeting; Member Uden seconded.
- The meeting was adjourned by Alice Rodriguez at 3: 17 PM.